

CITY CLERK  
Z-2856  
2022 JUN 23 P 3:10  
CINDY MURRAY

ORDINANCE NO. 2022-21

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,  
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM **R1** TO **GB**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA:**

Section I: The Unified Zoning Ordinance of Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana is hereby amended to rezone the following described real estate situated in Wea Township, Tippecanoe County, Indiana, to-wit:

See Attachment Exhibit A

Section II: The above described real estate should be and the same is hereby rezoned  
from R1 to GB.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

**PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
Perry E. Brown, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tony Roswarski, Mayor

Attest:

\_\_\_\_\_  
Cindy Murray, City Clerk

## EXHIBIT A

A part of the Northeast Quarter of Section Three (3), Township Twenty-two (22) North, Range Four (4) West, more completely described as follows:

Beginning at a point on the south line of the Northeast Quarter of Section 3, Township 22 North, Range 4 West, said point of beginning being 657.8 feet east of the center of said Section 3; thence North 2° West for a distance of 274.4 feet; thence North 60° 56' East for a distance of 190.2 feet; thence North 79° 24' East for a distance of 71 feet; thence South 1° 51' East for a distance of 371.5 feet to the south line of the Northeast Quarter; thence westerly on the south line of the Northeast Quarter for a distance of 236 feet to the place of beginning. Said tract of land contains 1.9 acres, more or less. Located in Wea Township, Tippecanoe County, Indiana.

EXCEPTING THEREFROM: The southern thirty-four (34.00) feet of the Robert J and Judith E Ross real estate described in Deed Record 86, page 1922 in the Office of the Recorded of Tippecanoe County, Indiana, located in the Northeast Quarter of Section 3, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, and containing 0.184 of an acre, more or less.



## Area Plan Commission of Tippecanoe County, Indiana

June 16, 2022  
Ref. No.: 2022-128

Lafayette City Council  
20 North 6<sup>th</sup> Street  
Lafayette, Indiana 47901

### CERTIFICATION

RE: **Z-2856 BET RENTALS, LLC (R1 to GB):**

Petitioner is requesting rezoning of 1.716 acres located on the north side of Brady Lane, east of Concord Road, specifically, 3416 Brady Lane, Lafayette, Wea 3 (NE) 22-4. CONTINUED FROM THE MAY 18<sup>TH</sup> APC MEETING AT PETITIONER'S REQUEST TO EXCEPT OUT LAND IN THE FLOOD PLAIN.

Dear Lafayette City Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 15, 2022 the Area Plan Commission of Tippecanoe County voted 15 yes – 0 no on the motion to rezone the subject real estate from R1 to GB. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette City Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette City Council at its July 05, 2022 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

David Hittle  
Executive Director

DH/jae

Enclosures: Staff Report & Ordinances

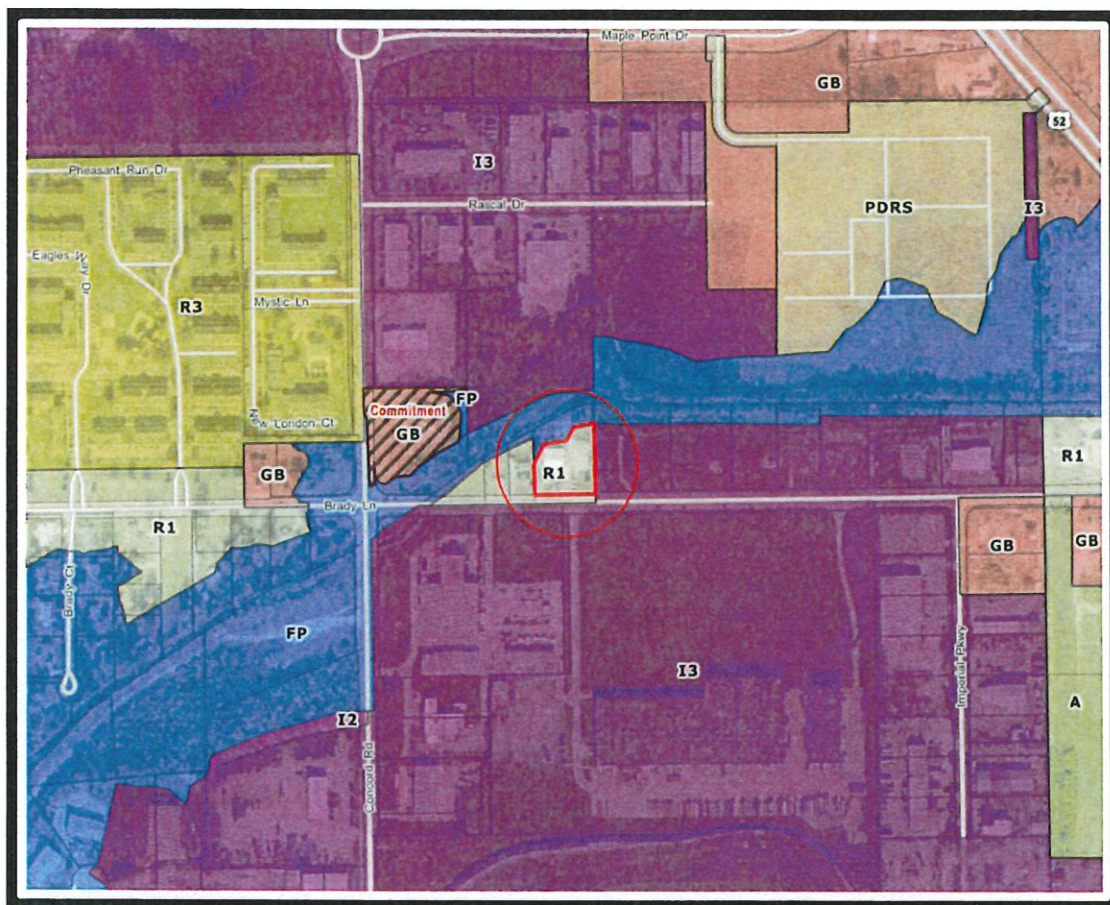
cc: Todd Boyd, BET Rentals LLC  
Robert J. Ross, Robert J. Ross Revocable Living Trust  
Kevin Riley, Reiling Teder & Schrier, LLC

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**Z-2856**  
**BET RENTALS, LLC**  
**(R1 to GB)**

**STAFF REPORT**  
**June 9, 2022**

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**Z-2856**  
**BET RENTALS LLC**  
**R1 to GB**

**Staff Report**  
**June 9, 2022**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, on behalf of the owner Robert J. Ross Revocable Living Trust and represented by attorney Kevin Riley from Reiling, Teder & Schrier Law Firm, is requesting a rezone from R1 to GB for a 1.716 acre-tract located on the north side of Brady Lane and east of Concord Road. This rezone would legitimize the existing nonconforming business, Twin City Electric.

This property is adjacent and part of the land heard by the APC last month (Z-2856), BET Rentals, LLC, I3 to GB. However, this case had to be continued to this month so that a floodplain certification could be done. The property is commonly known as 3416 Brady Lane, Lafayette, Wea 3(NE) 22-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The subject property is zoned R1. Land to the east was just rezoned to GB earlier this month by the Lafayette City Council (Z-2857). Flood Plain zoning associated with the Elliot Ditch is located on the north side of this tract.

With the exception of the land adjacent to the east heard last month, this area has seen little rezone activity in recent years. There have been a few rezones including an I3 to GB rezone at the Brady Lane and Imperial Parkway intersection for a gas station/convenience store that is currently under construction (Z-2466).

**AREA LAND USE PATTERNS:**

The land in this request is home to Twin City Electric and is currently nonconforming in the R1 zone. Land to the west is occupied by two single-family homes; land to the east is currently unimproved. North across Elliot Ditch is Indiana Gas and south of the site is Henry Poor Lumber and a warehousing operation.

**TRAFFIC AND TRANSPORTATION:**

Brady Lane is classified as an urban primary arterial. Traffic counts taken in 2021 indicate that 17,631 vehicles pass this site daily.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

City sewer and water serve the site. If this property is rezoned, the city may require a 30' wide bufferyard along the western property line.

**STAFF COMMENTS:**

As stated in the staff report for Z-2857 (adjacent to the east), this part of our community along Brady Lane has long been home to many industrial and commercial businesses. The I3 and GB zoning patterns in this area reflect this development, both new and old. As growth continues to occur in this area of Lafayette, commercial and industrial rezones continue to adjust the zoning boundaries. The subject property has been used commercially for many years in an R1 zone. Rezoning this property to GB not only legitimizes this long-standing nonconforming business but it also allows for the continued trend of commercial and industrial expansion.

**STAFF RECOMMENDATION:**

Approval